
MEMORANDUM

Rutherford County Regional Planning Commission

DATE: May 26, 2015
TO: Rutherford County Public Works Committee and Board of Commissioners
FROM: Rutherford County Regional Planning Commission
RE: Rutherford County Regional Planning Commission Activity Report

The Rutherford County Regional Planning Commission acted on the following requests at its May 11, 2015 meeting:

- A. Patty Travis (15-A007)
Motion to Recommend APPROVAL (7 for, 1 against)
Location: Leanna Road/Leanna Central Valley Road
Commissioner: Will Jordan
Size of Site: Approximately 15 acres (Approximately 6.0 acres requested for rezoning)
Tax Map: 48, Parcel: 49.00
Existing Zoning: Residential Medium-Density (RM)
Proposed Zoning: Commercial Services (CS)
- B. Various Amendments to Section 1408 and Appendices A, C and D of the Zoning Ordinance pertaining to new regulations for Retreats (15-5001), Planning Staff applicant
Motion to Recommend APPROVAL (7 for, 1 against)

In addition, the following plats and site plans were approved at the May 26, 2015 meeting:

Foxfire Meadows Section 10 and the Resubdivision of Lot 287 Preliminary Plan (15-1005)	Site Details: Applicant: Location:	51 lots (49 residential, 2 common area) on 28.8 acres, zoned RM Baker Road Partnership Baker Road
McCormick Commercial Subdivision Preliminary Plan (15-1006)	Site Details: Applicant: Location:	8 lots on 31.28 acres, zoned LI TW Taylor Excavating West Jefferson Pike
McCormick Commercial Subdivision Final Plat (15-2033)	Site Details: Applicant: Location:	8 lots on 31.28 acres, zoned LI TW Taylor Excavating West Jefferson Pike
Walnut Grove Missionary Baptist Church Site Plan (15-3014)	Site Details: Applicant: Location:	New construction of 12,139 square feet of Community Assembly space (Religious facility) on 13.41 acres, zoned RM Walnut Grove MBC John Bragg Highway

McCormick Trucking Site Plan (15-3016)	Site Details: Applicant: Location:	New construction of 15,000 square feet of Light Industrial space (Trucking Hub) on 18.02 acres zoned LI TW Taylor Excavating West Jefferson Pike
---	--	--

Rutherford County Regional Planning Commission Staff Report

Board of Commissioners Meeting Date: June 11, 2015

Case Number: 15-A007

Staff Recommendation: **APPROVAL**

PC Recommendation: **APPROVAL (7 For, 1 Against)**

Request by: Patty Travis

Property Address: 5276 Leanna Road

Commission District: 3 – Will Jordan

Urban Growth Boundary: Murfreesboro UGB

Applicant Request

Rezoning from Residential Medium-Density (RM) to Commercial Services (CS)

Purpose of District

This class of district is designed to provide for a wide range of commercial uses concerned with retail trade and consumer services; amusement and entertainment establishments; automotive and vehicular service establishments; transient sleeping accommodations; eating and drinking places; financial institutions; and offices. However, it is not intended that this district permit uses which generate large volumes of truck traffic, and certain activities that have lower performance characteristics are prohibited. Less building bulk is permitted, and more open space and buffering are required.

Site Characteristics

Current Zoning: RM

Current Use: Vacant property

Adjacent Uses: Primarily single-family residential. There is an existing Dollar General to the southwest of the property. There is also a pre-existing commercial use on property adjacent to the west.

Adjacent Zoning: RM on all sides except for CS zoning to the southwest (Dollar General)

Size of Tract: 14.83 acres. Area for rezoning – Approximately 6 acres

Comprehensive Plan

The Rutherford County Comprehensive Plan shows this location as being included within the Suburban Character Area. Suburban Character Areas are recommended to include residential uses at densities of up to three (3) units per acre and non-residential densities of .2 Floor/Area Ratio (FAR). Leanna Road is labeled as an Urban Arterial, while Leanna Central Valley is not classified as a special corridor in the Plan.

Proposal supported by Comprehensive Plan

Staff feels that the proposal is consistent with the policies listed in the Comprehensive Plan.

Infrastructure

Roads: The property is bordered by Leanna Road and Leanna Central Valley Road. Access for the project will be off of Leanna Central Valley Road. The closest traffic count to the subject property is located approximately 2/3 of a mile

to the east of the intersection of Leanna Road and Leanna Central Valley Road. The location shows a 2013 count of 4,372 trips per day. There are no traffic counts along Leanna Central Valley Road.

Leanna Road is shown on the County's Long Range Transportation Plan (LRTP) as being widened to a 5-lane cross section in the future. Leanna Central Valley Road is only shown to have safety improvements. There is approximately 50 feet of existing right-of-way along Leanna Central Valley Road, which should be sufficient for these improvements.

Utilities: According to Consolidated Utility District (CUD), there is a 6-inch water line to service the property along Leanna Central Valley Road and a 4-inch water line along Leanna Road.

Fire Protection: According to information provided by CUD, there is a fire hydrant located at the intersection of Leanna Road and Leanna Central Valley Road. Any development will be required to adhere to the adopted fire codes for Rutherford County.

Stormwater: No portion of the subject property is impacted by the 100-year floodplain, as delineated by the Federal Emergency Management Agency (FEMA). The applicant will need to work closely with Engineering Staff to ensure that a stormwater management system is designed to provide water quality and quantity control for any new improvements.

Schools: Not Applicable since this application is not for residential uses.

Background/Proposal Details

Proposed Use: The applicant would like to rezone approximately six (6) acres of the subject property for a mini-warehouse facility. Mini-warehouses are only permitted in the CS zone by Special Exception approval from the Board of Zoning Appeals. The applicant has been made aware of this.

According to information submitted by the applicant, they would like to provide storage and parking options for homeowners and renters that have restrictions, such as parking of recreational vehicles at their residences. She plans to have inside storage units, some with climate control. She also proposes to have an office and possibly an apartment for added security. The property would be fenced and gated with access allowed only during certain times of the day. The applicants have also provided some conceptual drawings of the proposed development.

A portion of this property (Approximately 2 acres) was rezoned in October 2013 for use as a retail shop (Dollar General). If this application is approved, there will be approximately nine (9) acres of RM-zoned land remaining. Staff expects that the remainder of the property will be requested for non-residential zoning at some point in

the future but is not aware of any imminent plans to do so.

The applicant understands that if the property is rezoned a more formal concept plan will be required for their Special Exception application. They also understand that if the Special Exception is approved that an engineered site plan will be required that demonstrates conformance to the County's regulations and will more than likely require Planning Commission approval.

Access & Parking: The applicant's concept plan shows access onto Leanna Central Valley Road. Safety improvements may be needed along Leanna Central Valley Road. Traffic with mini-warehouse facilities is typically infrequent and does not occur during peak hour times. The applicant will need to demonstrate conformance to County parking requirements as part of their site plan submittal. Staff does not expect any direct access onto Leanna Road.

Landscaping: If approved, the proposed development will require a Type 2 Buffer on the perimeter of the area being requested for rezoning. Mini-warehouses are required to have a minimum 65-foot setback along all property lines as well, so there should be ample room for the buffer.

Performance Standards: Section 1106 of the Zoning Ordinance creates performance standards for noise, dust, odor and hazardous materials that commercial or industrial activities must be able to meet.

Staff/Planning Commission Recommendation

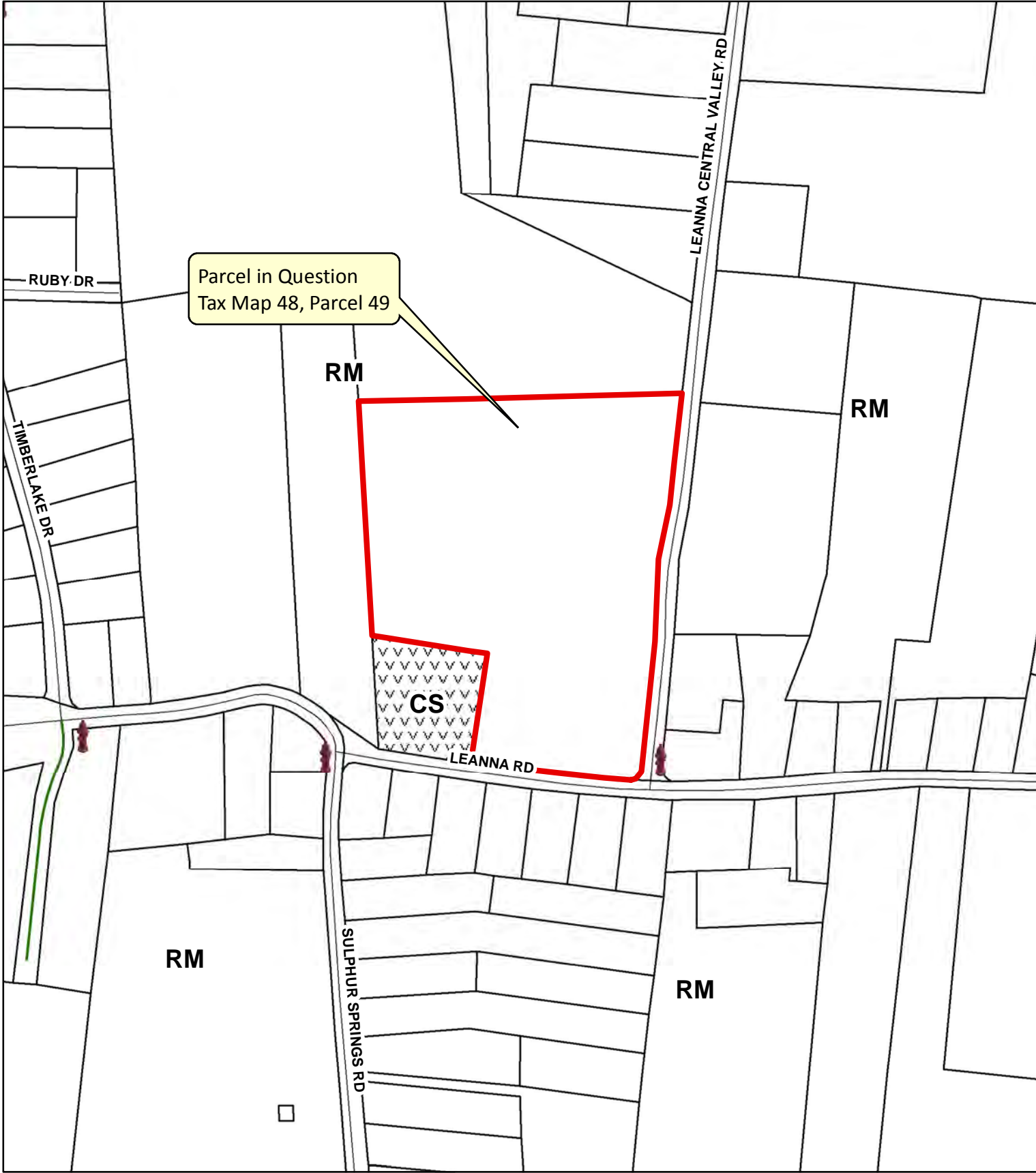
With the recent construction of the Dollar General on a portion of this property, Staff is of the opinion that the remainder of the property will probably develop in a non-residential manner as well. The CS zoning requested is the same zoning for the Dollar General Store. If a mini-warehouse facility is pursued, Board of Zoning Appeals approval will be required and additional standards will apply. Staff recommends approval.

There was very little discussion on this item at the Planning Commission. Most of the questions concerned the remaining amount of residentially-zoned property and site drainage. One of the Planning Commissioners voted against the proposal but not because they did not think it should be zoned commercially. They felt that the proposed use wasn't the highest and best use for the property. The Planning Commission recommended approval by a vote of 7 For and 1 Against.

Attachments

Zoning Map
Aerial Map
CUD Water Lines Map
Applicant's Concept Plan and Other Submittal Materials

15-A007



Parcel in Question
Tax Map 48, Parcel 49

RM

RM

CS

LEANNA RD

RM

RM

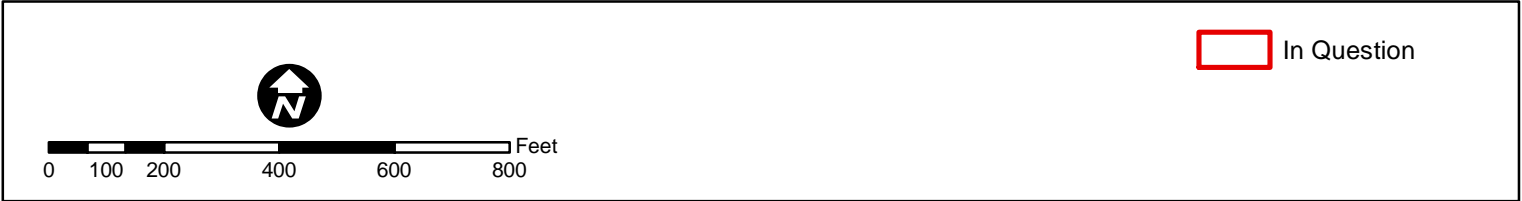
SULPHUR SPRINGS RD

- RM RM - Medium Density Residential
- CS CS - Commercial Service
- In Question



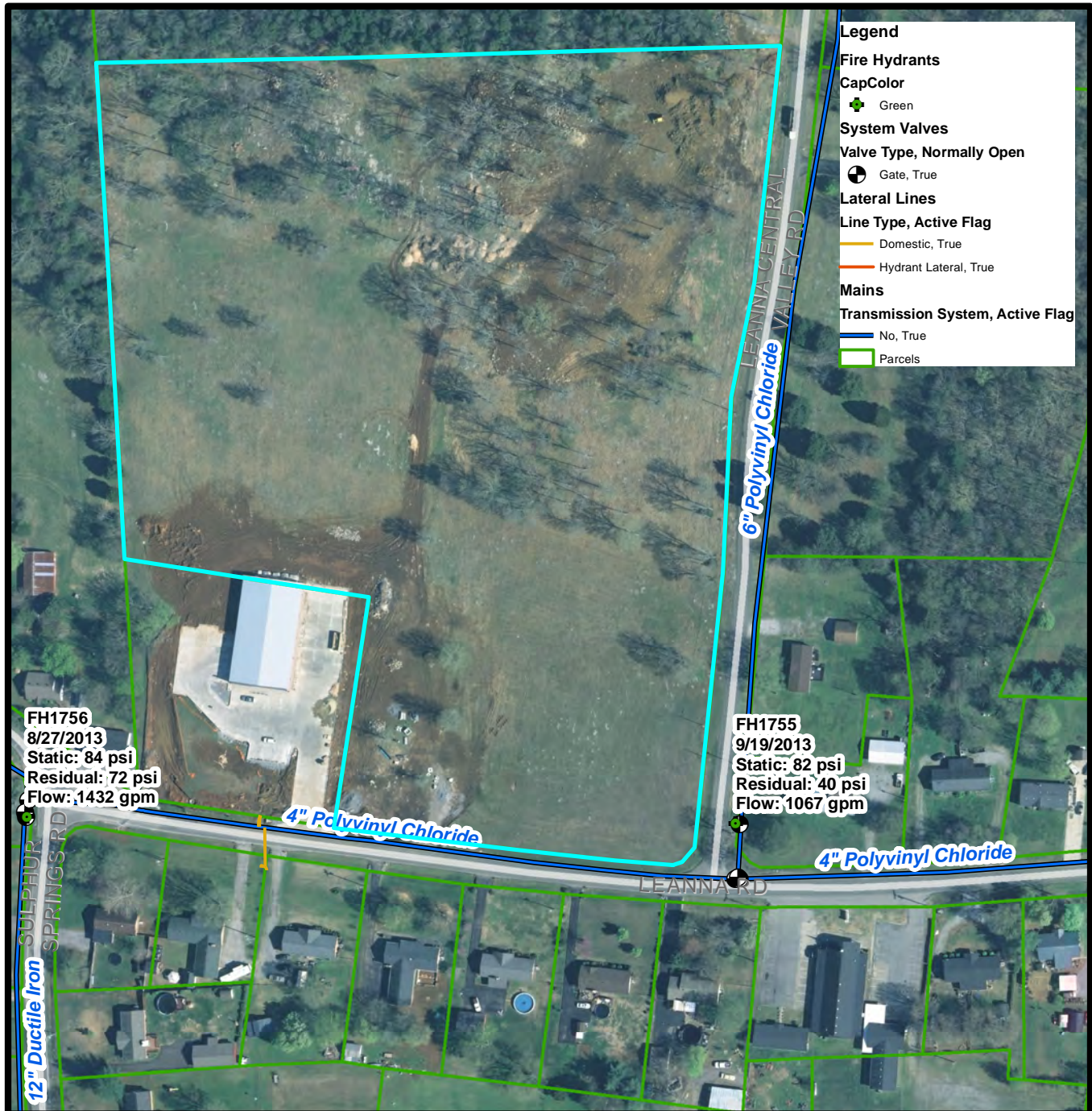
0 100 200 400 600 800 Feet

15-A007



Rezoning Request

Leanna Central Valley Rd./ Map 48, Parcel 49



Any additional development to the parcel(s) would be subject to the applicant submitting the Developer's Packet to Consolidated Utility District which includes a Water Availability Request to determine feasibility of and approve the proposed development.

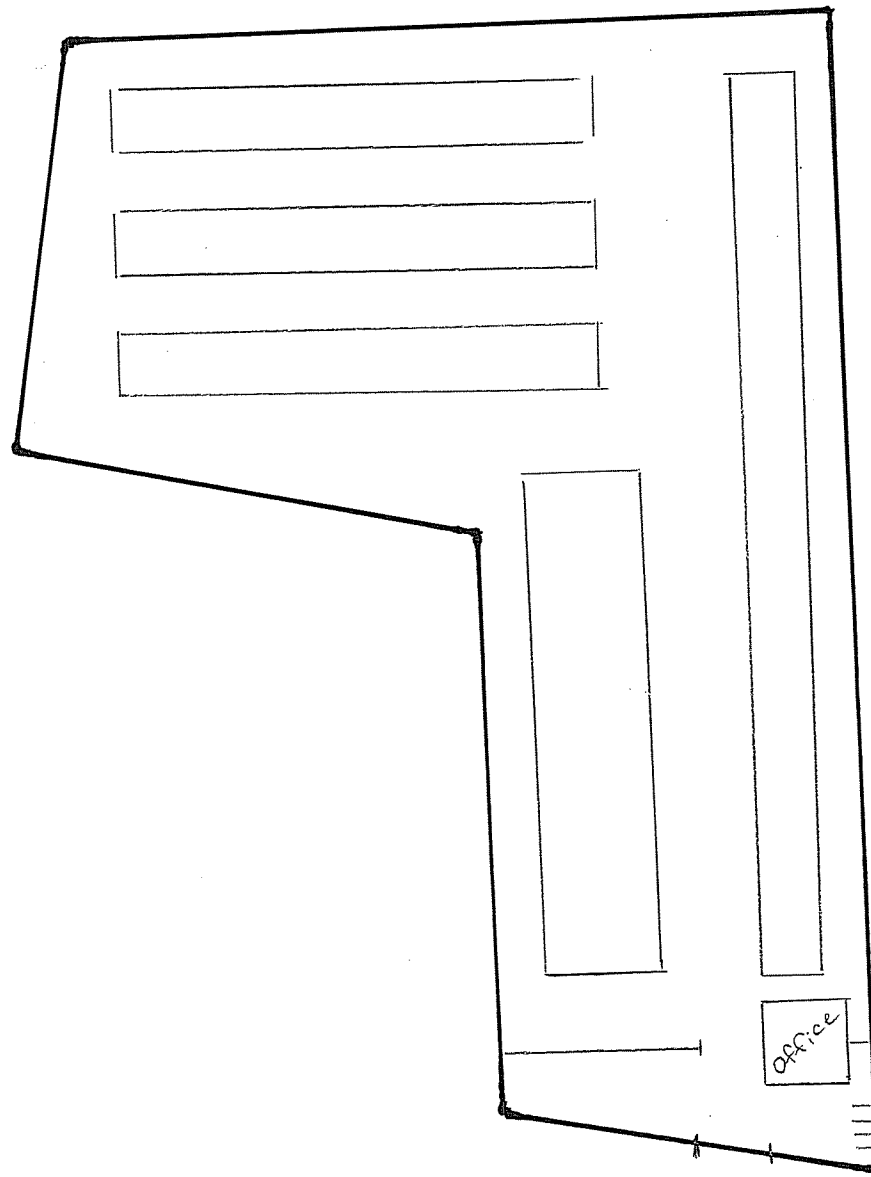
Date: 5/1/2015

Prepared by: JLW



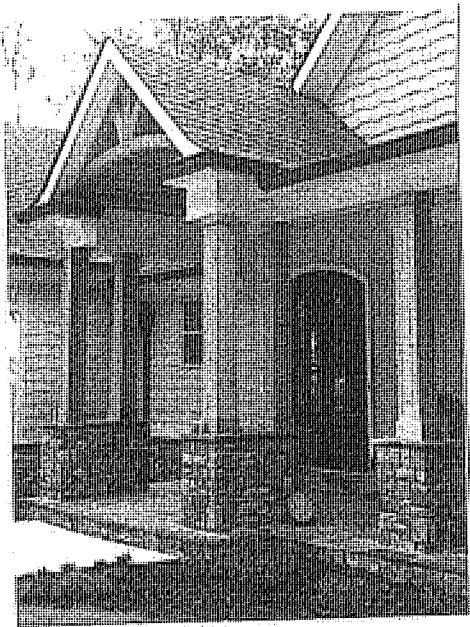
I am wanting to purchase 6 acres off of Leanna Central Valley Road to build a storage facility. No existing buildings are on this property so all new construction will be needed. I hope to provide storage and parking, targeting homeowners and renters that have restrictions such as parking of recreational type vehicles (motorhomes/boats, trailers) at their residence. I plan to have inside storage units, including some with climate control. I plan to have open parking and covered parking. I would also like to have an office, possibly with an upstairs apartment for added security purposes. The property will be fenced and gated with access to the property beginning and ending at designated times. I wish to provide a safe and secure business that will always be well maintained and makes a contribution to the community not only from the service it will provide but appearance as well.

0° 700°
50°
NSU
NSU TAUNTS
PLAZA
BOULEVARD
EE 37120
REPRODUCED
OUT OF SEC. VIC.

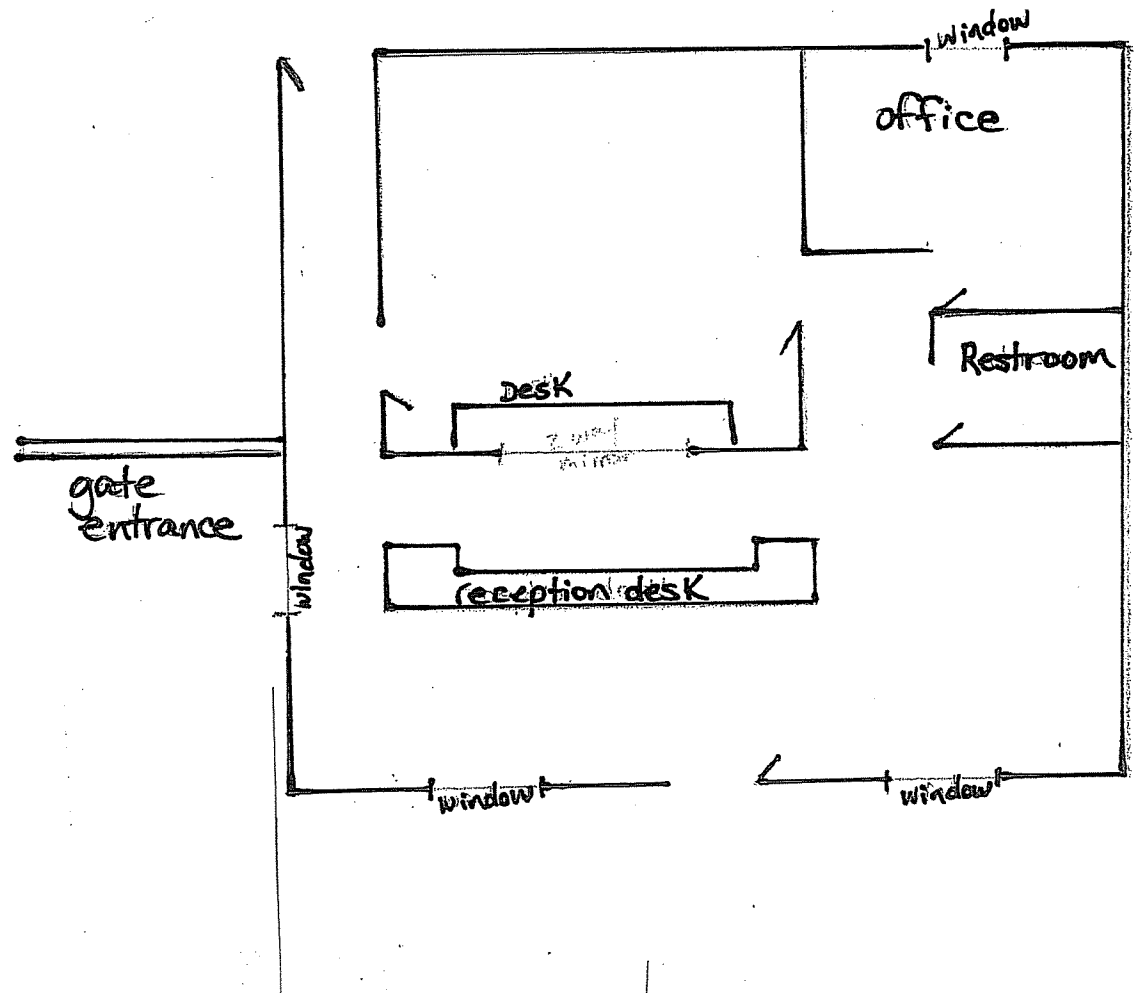


500 storage units?
200 parking/covered?

Front
entrance
idea



office
idea-





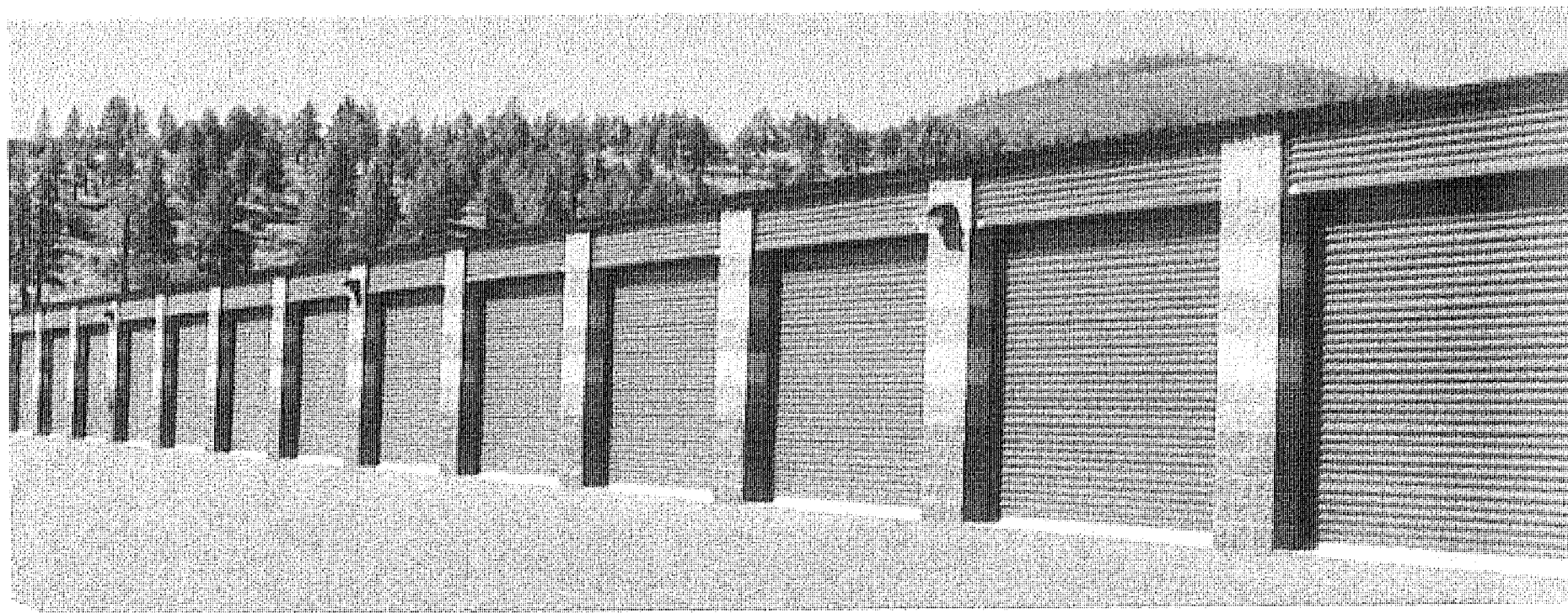
Moments

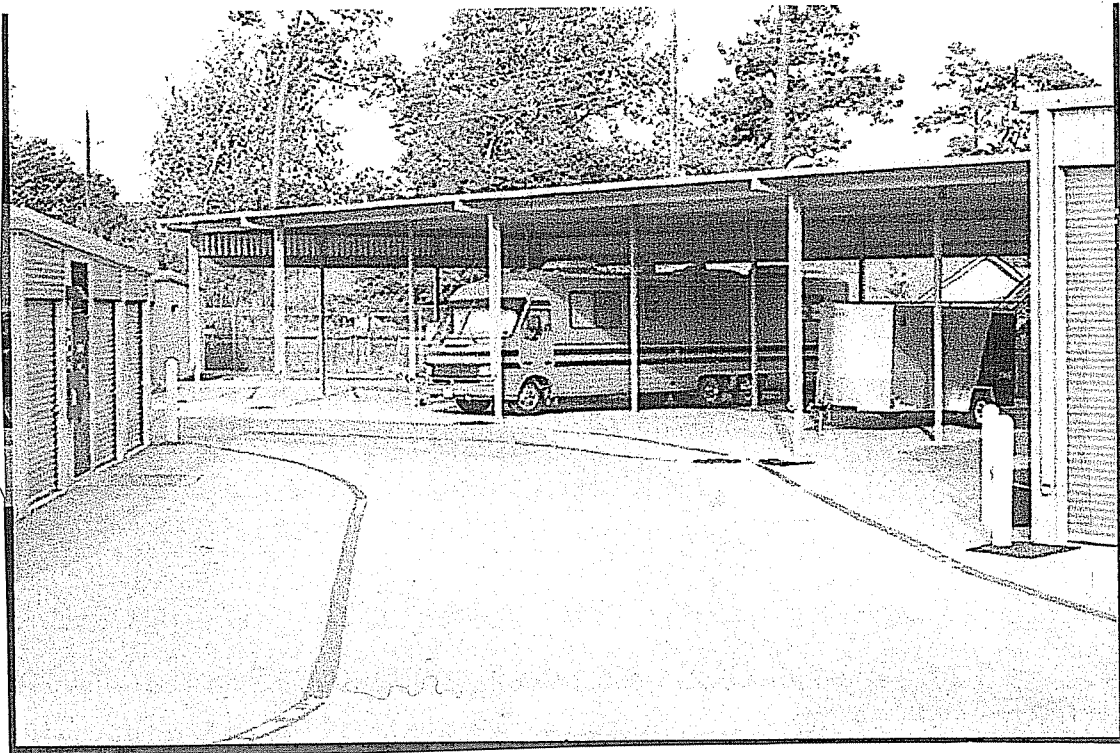
5:00 PM
Yesterday
2:23 PM

64%

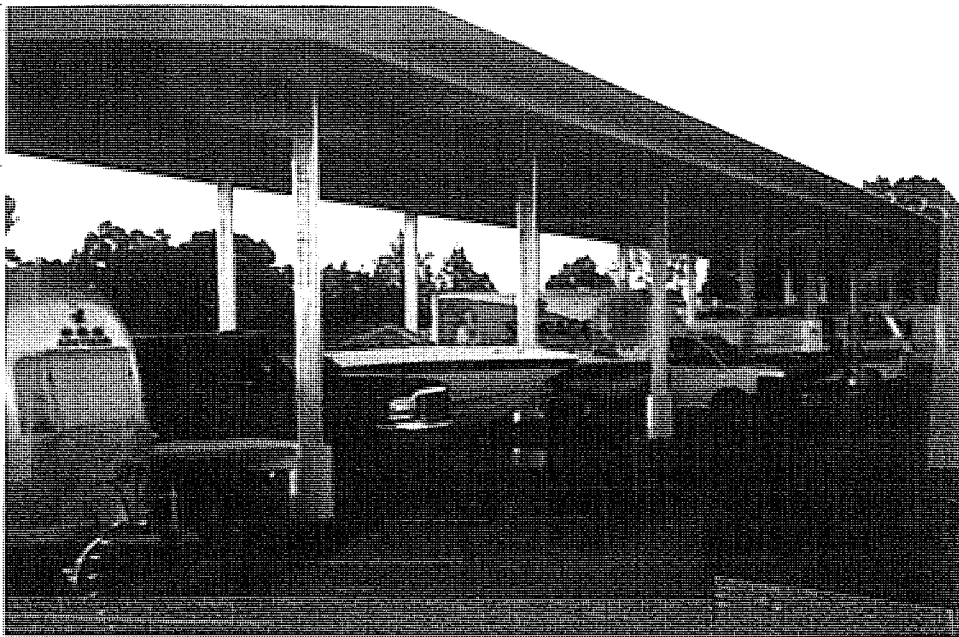
Ed

nymore.





Covered
parking
options





Doug Demosi, AICP
Planning Director

Mike Hughes, P.E.
County Engineer

MEMORANDUM

To: Planning Commission Members

From: Doug Demosi, Planning Director

Date: May 26, 2015

Subject: Proposed Zoning Ordinance Amendments – Retreats

Staff is pleased to present amendments to the Zoning Ordinance concerning Retreats. Rutherford County has been experiencing what has become a nationwide trend of event venues (e.g. weddings, proms, etc.) in barns or barn-type structures located in more rustic environments. Newspaper articles have been written in various publications, such as the New York Times and Tampa Bay Times, in regards to this trend. While the allure of such a venue is understandable, there are many factors that must be taken into account, such as the provision of adequate parking, sensitivity to neighbors and the structural integrity of the building proposed for the venue.

The Zoning Ordinance does not contain regulations that adequately address the issues associated with this type of use. Staff has researched a number of other ordinances in an attempt to identify criteria used in other jurisdictions. Most of the ordinances we reviewed contained regulations on minimum lot size, hours of operation, allowable accessory uses, etc. While the regulations all contained most of the same elements, the regulations themselves varied to a significant degree. There was quite a bit of discussion on these amendments with the Planning Commission. After several meetings and three public hearings, the Planning Commission has recommended approval of the amendments attached with this memorandum. Some of the highlights include:

- Classified as a Minimal Impact Facility – Special Exception review for venues with 30 or less events or more than 10 acres of land; Planned Unit Development review for those with more than 30 events or less than 10 acres of land;
- Maximum floor area – 2.5 percent of the lot area;
- Setback requirements linked to buffering requirements;
- Requirement of meeting performance standards (i.e. lighting, noise, etc.); and
- Requirement for structures to meet all applicable building and fire codes.



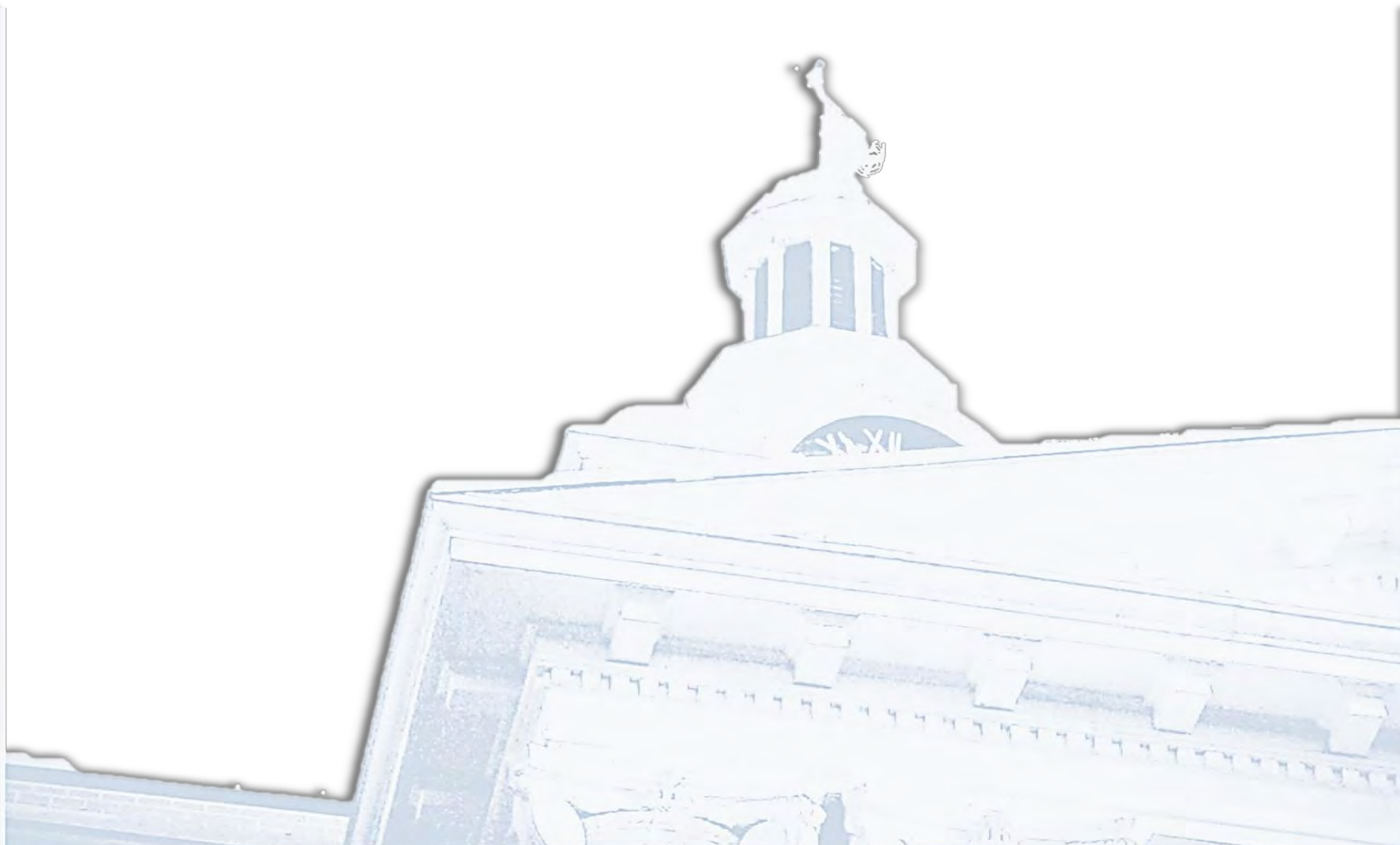
Rutherford County Planning and Engineering Department

ONE PUBLIC SQUARE SOUTH, SUITE 200 MURFREESBORO, TENNESSEE 37130
PHONE 615.898.7730 FAX 615.898.7823

Doug Demosi, AICP
Planning Director

Mike Hughes, P.E.
County Engineer

Staff will give a more detailed presentation at the Board of Commissioners meeting.
Please let me know if you have any questions prior to that time.



Zoning Ordinance Amendments – Retreats

May 11, 2015 Draft

Amend Section 1408 E.6.a. as follows::

a. General Standards

- i. Access to such facility shall be by a paved public road and such road shall be either an arterial or collector. Traffic shall not be directed through residential subdivisions or on minor residential streets.

Add the following Subsection to 1408 E.6:

b. Specific Uses

i. Retreats

- (1) An application for a retreat shall include a concept plan and a complete description of all activities proposed to occur on the property that shall include, at a minimum, the following information:
 - The size of the proposed facility including a floor plan showing the assembly area and other areas;
 - The expected number of events per year;
 - The maximum number of attendees per event;
 - The number of employees;
 - The hours of operation;
 - Provision of overnight accommodations, duration, etc.;
 - Provision of restroom facilities;
 - Proposed lighting;
 - Sound amplification to be used;
 - Temporary structures or tents to be used in association with planned events;
 - Proposed signage;
 - Security to be provided;
 - Location of trash receptacles;
 - Traffic management and parking plans;
 - Other documentation as required.
- (2) In addition to the General Standards listed in Section 1408 C., Retreats also must meet the following standards:

- Minimum acreage – 10 acres. Applications for properties less than 10 acres in size will need to seek a rezoning to Planned Unit Development using the process described in Chapter 9 of this Ordinance and the standards in this subsection.
- The maximum number of events during any calendar year is 30. Applications for more than 30 events will need to seek a rezoning to Planned Unit Development using the process described in Chapter 9 of this Ordinance and the standards in this subsection. For the purposes of this section, an event is defined as a celebration, ceremony, wedding, reception, corporate function or similar activity for the benefit of someone other than the property owner that takes place on a periodic basis, involving the gathering of individuals assembled for the common purpose of said celebration, wedding, etc. This definition does not include uses that are accessory to a single-family residential use, such as private parties, gatherings and similar activities.
- Parcels must have an unobstructed frontage along a public road consistent with the requirements of the Zoning Ordinance. Access drives on private easements will not be permitted.
- Site plan approval is required consistent with Section 1404 C. of this Ordinance.
- The maximum floor area for all areas used in connection with the Retreat shall be no greater than 2.5 percent of the total lot area.
- Accessory uses can include, but are not limited to; banquet facilities and recreational amenities not intended to be open to the general public.
- Overnight accommodations shall be accessory to the primary use of the property proposed as a Retreat and shall not be open to the general public as a standalone use. The maximum length of stay for any guest(s) shall be seven (7) consecutive days per singular event.
- Uses approved in this Section shall abide by the Parking Requirements found in Section 1102 of this Ordinance. Parking areas are not required to be of a hard-surfaced, dustless material but must be approved by Planning and Engineering Staff. If an agreement cannot be reached with Staff, the Board of Zoning Appeals shall have the authority to determine the surface material to be used. Handicapped parking is required to be of a hard, dustless material and must meet ADA standards.
- Events shall conform to the performance standards in Section 1106 of this Ordinance. Sound amplification and any outdoor lighting shall cease no later than 10:00 PM.

- Signage shall comply with Chapter 12 of this Ordinance.
- Any structures to be used in connection with the Retreat shall comply with the adopted building and fire codes for Rutherford County and shall be inspected prior to occupancy by the Building and Codes and Fire and Rescue Departments for Rutherford County. Existing buildings may require variances from the Board of Zoning Appeals if they are located within required setbacks.
- All regulations enforced through other agencies, (i.e. Federal, State, and other Local authorities) must be met. These include, but are not limited to, building codes, fire codes, health department regulations, groundwater protection, etc.
- If the retreat is proposed on property with an existing structure or residence, an additional address may have to be assigned for the retreat for E-911 purposes.
- Setbacks for buildings activities used in association with a retreat shall abide by the following setbacks:
 - If providing a Type 1 buffer (or equivalent using existing plantings) – 100 feet
 - If providing a Type 2 buffer (or equivalent using existing plantings) – 75 feet
 - If providing a Type 3 buffer (or equivalent using existing plantings) – 50 feet

Existing plantings must be shown on a site plan. Credits for existing plantings shall be determined using Section 1104 of the Zoning Ordinance. Parking areas are allowed to be within required setbacks but not within required buffer yards.

- Contact information for the owner/manager shall be provided to the contact person for each event and posted on the premises.

Amend Appendix A – Definitions and Rules for Construction of Language by adding the following definition:

Definition: Retreat – A facility owned and operated by a non-governmental entity for the purpose of providing a rural setting in which temporary lodging, camping and/or conferences, meeting, and event facilities are provided with or without compensation. Retreats on property that meet State and Local definitions of Agriculture are exempt from this definition. In addition, the following activities are specifically excluded from this definition:

- Uses approved with a temporary use permit (i.e. outdoor performances or seasonal attractions);

- Uses classified as Transient Accommodations;
- Uses classified as Entertainments and Amusement Services – Indoor or Outdoor

Amend Appendix C – Land Use Index to include the following Activity and Classification

Land Use – Retreat; Classification – Minimal Impact Facility

Amend Appendix D – Off Street Parking Requirements to include the following classification under Community Facility Activities:

Minimal Impact Facilities

Retreats: 1 space for every 3 people at maximum capacity of the main assembly room plus one space for every guestroom or campsite.